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Practitioner's Docket No. 44168-DIV4 (70281)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haruo ONDA et al.

Serial No.: 09/935,371

Group No.: 1646

Filed: August 22, 2001

Examiner: KEMMERER, E.

For: PACAP RECEPTOR PROTEIN, METHOD FOR PREPARING SAID PROTEIN,
AND USE THEREOF

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Commissioner of Patents and Trademarks
Washington, D. C. 20231.

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D. C. 20231.

Dated: November 14, 2001

Nicholas A. Zachariades

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's Restriction Requirement, Applicants respectfully elect, without traverse, Group II – Claims 37-40, drawn to compounds that affect PACAP receptor activity, and compositions comprising same, classification dependent upon structure of compounds, as set out in the Examiner's Restriction Requirement dated October 17, 2002. Claims 37-40 are generic claims drawn to potential compounds that affect PACAP receptor activity and are not drawn to any of the species as defined by

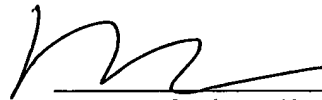
SEQ ID NOs: 1-29 in the Office Communication, therefore, a species election cannot be made at this time.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. The right to file divisional applications on the non-elected claims and species of the invention is reserved.

Early consideration and allowance of the application are earnestly solicited.

Respectfully submitted,

DATE: November 14, 2002



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